



MICHIGAN UNITED CONSERVATION CLUBS

P.O. Box 30235, Lansing, MI 48909 | PH: 517.371.1041 | FAX: 517.371.1505 | www.mucc.org

September 21, 2016

RE: SB 1070-1072. Commercial Guiding bill package

Dear Senators,

Thank you for the opportunity to provide input on this bill package before the Senate Outdoor Recreation and Tourism Committee. We appreciate the efforts of Senator Zorn and his staff to recognize the need for this legislation and work with us on a well-thought out package.

Michigan is blessed with more than 4 million acres of state-managed public land, more than 11,000 inland lakes and 36,000 miles of rivers and streams and the greatest diversity of outdoor recreation opportunities in the country. Hunters, anglers and trappers in Michigan contribute more than \$80 million of their own money through state license fees to fund fisheries and wildlife management, along with the enforcement of these regulations. According to the U.S. Fish and Wildlife Service, in 2011 hunters, trappers, and anglers spent almost \$4.8 billion in Michigan on their outdoor pursuits in total, and \$90 billion nationwide.

Today, we are asking you to consider legislation that would provide a framework to oversee an unrecognized industry in Michigan that also depends solely on our fisheries, wildlife and vast natural resources—commercial guiding. As you will hear today, hunting, fishing, trapping and conservation organizations are calling for reasonable registration, training and insurance standards for the protection of clients, the orderly provision of services, and the protection of the fish and wildlife resources of the State of Michigan. Many commercial guides are in support of this concept as well, who you will from as well.

Nearly 20 years ago, MUCC members recognized the need for regulations and oversight of the (at the time) budding commercial guiding industry in Michigan through our policy setting process. The US Coast Guard, DNR and the Michigan legislature have created some policies that oversee the charter fishing activities on the Great Lakes, but these do not apply on most upstream and inland waters. This requires this industry to submit monthly fishing reports, which has been extremely helpful for not only scientific data collection, but also the promotion and protection of the charter fishing industry. There is also the components of Part 445 inland pilot's license for charter boats who take passengers for hire, which mainly regulates vessel safety.

Since 2006, inland fishing guides in Michigan have been required to obtain written permission, in the form of a lease to use state-owned public water access sites. Guides pay an annual Use of Land fee, must also provide proof of general liability insurance, and must have the aforementioned state-issued inland pilot's license or a U.S. Coast Guard captain's license. This state land use permit requirement was expanded to hunting guides using state-owned public lands around 2010, however there is no standard state definition for whom this would apply and there is little enforcement. The US Forest Service also has its own requirements for hunting and fishing guides utilizing public land under federal ownership.

This bill package would create a fair and consistent framework for commercial hunting and fishing guides operating in Michigan. MUCC believes the state fishing or base hunting license, a \$150 permit (every 3

years), along with the insurance, first aid, and CPR training requirements and clean criminal and game and fish violation record (in the last 5 years) provides a relatively small barrier of entry for a small business but provides tremendous benefits to their clients, the state, and the fish and wildlife resources.

This also for the first time presents an opportunity to clean up the woods and waters of bad actors, who have cast a black eye on guiding as a legitimate business by putting clients in danger and having a weak adherence to fish and game laws. These kinds of situations, though hopefully rare, may be hurting Michigan's reputation as a destination for hunting and fishing for people from out-of-state, as well as in-state hunters and anglers who engage the services of guides and have no assurance of a quality experience, personal safety, or even an ethical pursuit of game or fish. At the same time, those who represent themselves as guides in spite of often flagrant violations of our state's hunting laws and regulations provide fuel for anti-hunters and tarnish the reputation of true sportsmen and women in Michigan.

For example, just this February a "hunting guide" was arraigned on 26 counts of waterfowl and charter operation violations after a long term investigation by the DNRⁱ. While he may have lost his boat and his hunting license for his own acts of poaching, there is very little the State of Michigan can do to prevent him from assisting clients and even encouraging clients to harvest over their bag limits in the future. This is (hopefully) an extremely rare case, but what a sound regulatory framework provides is assurances and consistency for the commercial guides that are doing it right.

This bill package presents an opportunity for increased enforcement of guiding without a permit, providing false information, and failure to provide required reports which would result in costly fines and potentially a loss of the guiding permit. Additionally, all fees and fines would be deposited into the Game and Fish Protection Account to contribute, as all sportsmen and women do, to the oversight and enforcement of these laws.

Most importantly for our members, this provides a necessary protection of the resource. Every permitted guide would be required to file monthly fishing or annual hunting reports that details a tremendous amount of information on their level of effort and harvest. These are all pieces of information not currently collected that would aid our biologists in managing the fish and game populations. The Natural Resources Commission is given the authority regulate the use of commercial guides as a "manner and method of take." While it is not anticipated that this authority would be used at this time, it does provide the NRC with the ability to consider the impacts that commercial guiding may have on our natural resources.

Once again, we thank the bill sponsors for their efforts in bringing this package of bills forward and to this Committee for providing an opportunity for testimony. This is a long time priority to our members and we urge your support. I am happy to take any questions or see if we are able to clarify or address any concerns.

Sincerely,

Amy Trotter, Deputy Director

517-346-6484 or atrotter@mucc.org

ⁱ See DNR Press Release: http://www.michigan.gov/dnr/0,4570,7-153-10366_54559_10402-376998--,00.html